CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:		Force		Discourt.	U.S.
Amadee Bility		Squad #03	202208201	☑	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:			18 Mo. SOL		Precinct:	
Saturday, 11/26/2022 6:10 PM		456 East 149th Street			5/26/2024		40	
Date/Time CV Reported		CV Reported At:	How CV Reported	:	Date/Tin	ne Rece	eived at CC	RB
Sat, 11/26/2022 7:12 PM		IAB	Phone		Wed, 11/	/30/202	22 6:42 AN	Л
Complainant/Victim	Type	Home Addre	ess					
Subject Officer(s)	Shield	TaxID	Command					
1. PO Nicholas Roveto	21509	968108	040 PCT					
2. PO Ryan Hennessy	13816	971991	040 PCT					
3. SGT Mayky Santos	02317	944982	040 PCT					
Officer(s)	Allegati	on			Inv	vestiga	ntor Recor	nmendation
A . PO Ryan Hennessy	Abuse: F	olice Officer Ryan Hem	nessy stopped § 87(2)					
B . PO Nicholas Roveto	Abuse: F	Police Officer Nicholas F	Roveto stopped [8] 87(2)	l				
C . SGT Mayky Santos	Abuse: S	Abuse: Sergeant Mayky Santos stopped § \$7(2)(b)						
D . PO Ryan Hennessy	Abuse: F	Abuse: Police Officer Ryan Hennessy frisked § 87(2)(b)						
E . PO Ryan Hennessy	Abuse: Police Officer Ryan Hennessy refused to provide his name to \$87(2)(6)							
F . PO Ryan Hennessy		Police Officer Ryan Henr Imber to ^{§ 87(2)(6)}	nessy refused to pro	vide	his			
G . PO Ryan Hennessy	Abuse: F	Police Officer Ryan Henr with a business card.	nessy failed to provi	de §	87(2)			
H . PO Ryan Hennessy		Police Officer Ryan Henr orn camera.	nessy improperly us	ed h	is			
I . PO Nicholas Roveto		Police Officer Nicholas F orn camera.	Roveto improperly u	sed l	his			
J . SGT Mayky Santos	Abuse: S worn car	Sergeant Mayky Santos i nera.	mproperly used his	body	y-			

Case Summary

On November 26, 2022, \$370,000 filed this complaint over the phone with IAB generating IAB Log \$370,000. The CCRB subsequently received this complaint on November 30, 2022.

alleged that on November 26, 2022, at about 6:10 p.m., in front of 456 East 149th
Street in the Bronx, Police Officer Ryan Hennessy, Police Officer Nicholas Roveto, and Sergeant
Mayky Santos, assigned to the 40th Precinct, stopped him (Allegations A-C: Abuse of Authority:

PO Hennessy frisked (Allegation D: Abuse of Authority:

He also alleged that he asked PO Hennessy for his name and shield number which
was ignored (Allegations E-F: Abuse of Authority:

Additionally, all three officers failed to activate their Body-Worn-Cameras (BWC)

(Allegations H-J: Abuse of Authority:

No arrest or summons resulted from this incident.

There is no known video evidence of this incident. The officers improperly failed to activate their BWC during the encounter (see allegations H-J). BWC video was received which captured speaking to uninvolved officers about the incident after he filed his complaint with IAB (Board Review 13).

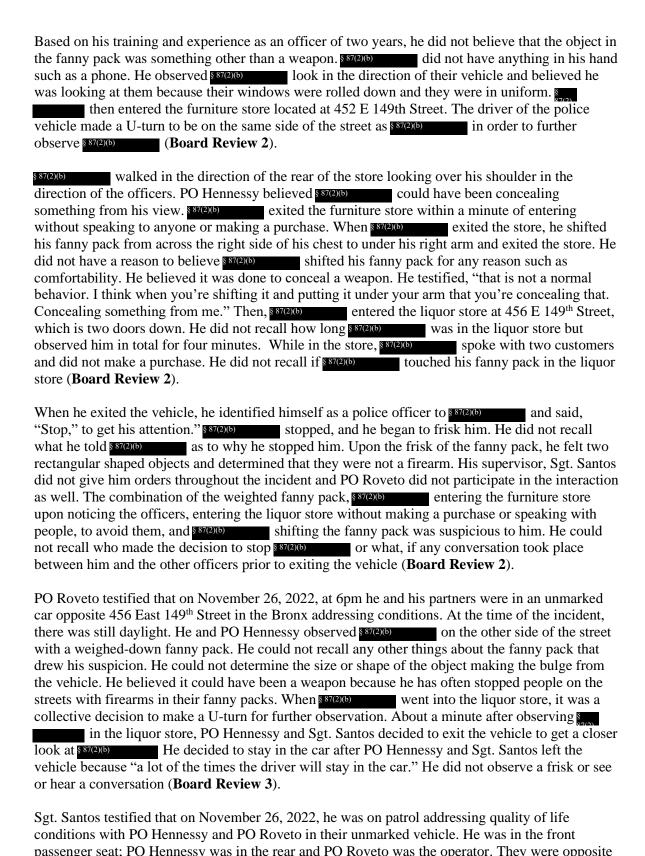
Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Ryan Hennessy stopped \$87(2)(5)
Allegation (B) Abuse of Authority: Police Officer Nicholas Roveto stopped \$87(2)(5)
Allegation (C) Abuse of Authority: Sergeant Mayky Santos stopped \$87(2)(5)
Allegation (D) Abuse of Authority: Police Officer Ryan Hennessy frisked \$87(2)(5)

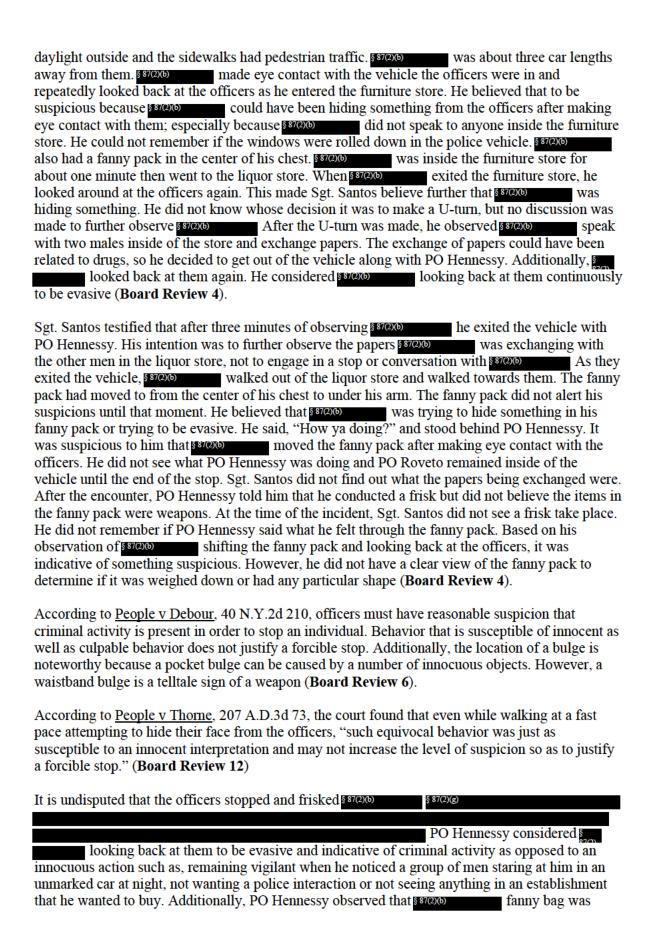
testified that on November 26, 2022, he entered the liquor store, located at 456 East 149th Street in the Bronx, to make a purchase. He had just come back from a GameStop video game store and was wearing a grey hoodie. He was not involved in any disputes while he made his purchases. When he exited the store, a police vehicle drove up in front of the liquor store and four officers exited the vehicle. PO Hennessy approached him smiling, and without saying anything, frisked him. PO Hennessy ran his hands over his cross-body bag which had his games from GameStop and his liquor store purchase. He was not under the influence of any substances. He had his keys, phone, and money in his pockets but could not remember which pockets they were in. He asked PO Hennessy why he was being frisked. PO Hennessy remarked something along the lines of seeing him leave GameStop "funny." The frisk lasted 15 to 20 seconds. He asked PO Hennessy for his name and badge number, but PO Hennessy smiled at him and returned to the rear passenger side of the police vehicle. The other officers did not interact with him (Board Review 1).

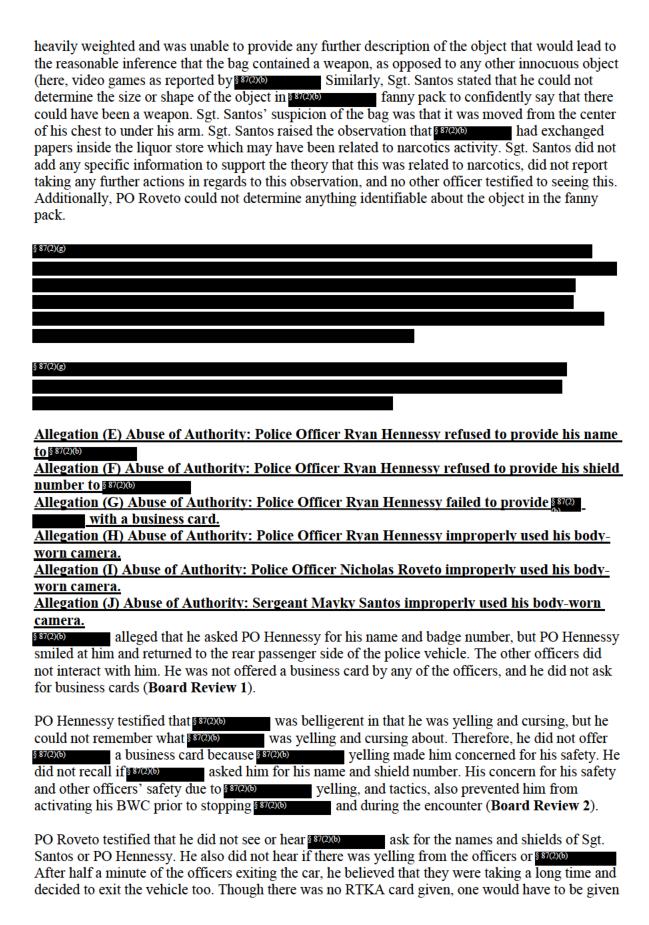
While seroso alleged that there were four officers present, the officers' testimony revealed that only three officers were present during the encounter. No additional officers were identified.

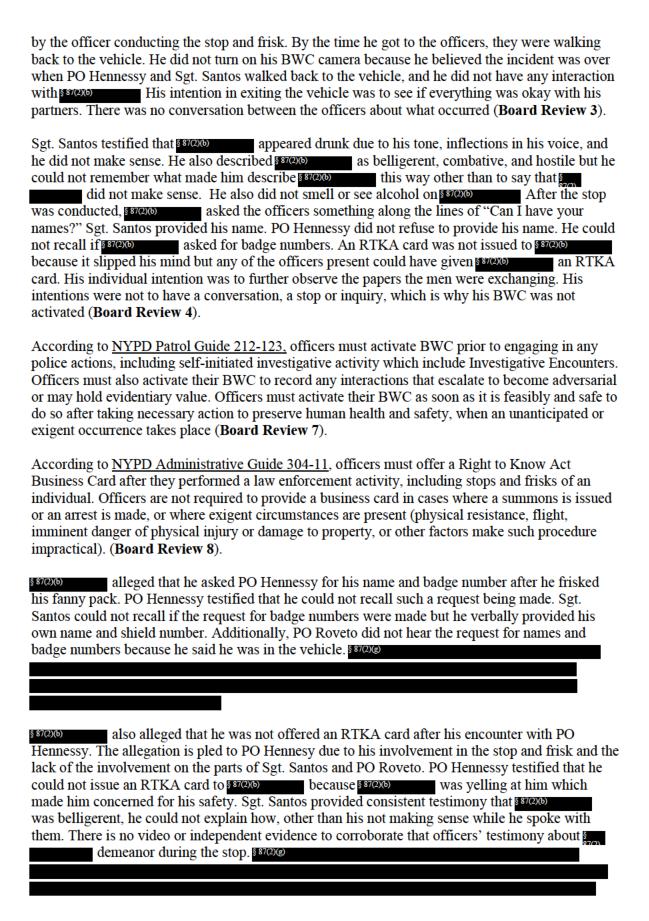
PO Hennessy testified that on November 26, 2022, he was working with Sgt. Santos and PO Roveto. He and the other officers observed was walking eastbound with a "heavily weighted" fanny pack across the right side of his chest. He first testified he believed the object in the fanny pack was indicative of a firearm because the fanny pack was heavily weighted down. When asked what shape the object was inside the fanny pack he testified, "heavily weighted, obviously a firearm is more or less an "L-shape." He could not recall the size of the object. When asked to specify if he saw an "L-shape," he testified, "No, I'm saying that the heavily weighted object which I believed was a firearm, was indicative of a firearm to me." He also could not recall if the fanny pack was weighed down in any particular direction (Board Review 2).



the liquor store when he observed \$87(2)(b) walking on the opposite side of the street. It was







§ 87(2)(g)			
			_
Patrol Guide matter. PO He during the ene	was armed or other required them to activate the ennessy and Sgt. Santos de counter, another factor required of BWC is required prior the BWC should be activated	who wise involved in illegal activity. Following their BWC prior to taking further action was yelling was yelling the activation of BWC, per the to engaging in an enforcement action, ted when feasible in situations when priors in the structure of the structure	owing from this, the n to investigate the and belligerent Patrol Guide. While the Patrol Guide also
 PO Henn complain history co business Sgt. Sante 	e first CCRB complaint to essy has been a member of ts and 53 allegations, none ontains multiple complaints cards. os has been a member of se	which service for two years and has been a party of which have been substantiated. Pos containing stop, frisk, and failure to pervice for 16 years and has been a subject of which have been substantiated.	subject in nine CCRB Hennessy's CCRB provide RTKA ject in 21 CCRB
		ervice for four years and has been a su of which have been substantiated. \$870	
Claim be	declined to mediate the rch 8, 2023, the New York	n, Civil, and Criminal Histories is complaint. City Office of the Comptroller has no acident (Board Review 10).	o record of a Notice of
• This com	plaint did not contain any a	RPBP History allegations of Racial Profiling/Bias-Ba	ased Policing.
Squad: 3			
Investigator:	Amadee Bility Signature	Investigator Amadee Bility Print Title & Name	11/06/2023 Date

Squad Leader:	Rolando Vasquez	IM Rolando Vasquez	11/6/2023
	Signature	Print Title & Name	Date